

**Clean Water Act Section 604(b) Grant Work Plan**

**For**

**April 1, 2013 - March 31, 2014**

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**Strategic Goals & Objectives**  
**FY 2011-2015 EPA Strategic Plan**

**Essential Element 1**  
**Goal 2: Protecting America's Waters**

**Essential Element 2**  
**Objective 2.2: Protect and Restore Watersheds and Aquatic Ecosystems.**

**Component # 1 of 3 - Water Quality Management Planning**

**Under Clean Water Act (CWA) Title 2 §205 (j), EPA provided funding to States to carry out water quality management planning (WQMP) efforts including, but not limited to, activities under CWA §205 (j) and §303(e). CWA §205(j)(3) required the State to allocate at least 40% of those funds to eligible regional public comprehensive planning organizations or interstate organizations (RPCPOs/IOs) for the development and implementation of a plan for carrying out the WQMP program. CWA Title 6 §604(b) continued authorization for allotment of the funds to states in accordance with Section 205(j). EPA Headquarters and EPA Region 2 Letters and Memoranda dated 08/18/87, 10/27/87, 03/7/90, 04/19/90, 4/11/91, 6/21/91, 6/26/91 and 08/02/91 required the continuation of the 40% allocation to RPCPO/IPOs.**

<b>Components</b>	<b>Narrative</b>	<b>Indicators</b>	<b>FY 13 Performance Activity Measures</b>
<b>a.</b> (Sue Van Patten) (Seth Ausubel)	<p>DEC will comply with the requirements of CWA §604(b) Pass-Thru Funds Memorandum of Agreement (MOA), executed on July 18, 1996, as long as it remains in effect.</p> <p>DEC staff will review and approve 604(b) pass-through funding for each grant recipients' work plans and</p>	<p>Progress Through 9/30/13  Reported on 10/31/13 and  Progress Through 3/31/14 and  Reported on 4/30/14</p> <p>The approved individual project work plans will be e-mailed to EPA by December 31.</p>	

### Component # 1 of 3 - Water Quality Management Planning

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Components	Narrative	Indicators	FY 13 Performance Activity Measures
	<p>budgets for each year of the four-year contracts.</p> <p>DEC will provide EPA with information on an annual basis summarizing the 604(b) and state-supported water quality management projects contributing to restoration of impaired waterbodies and watersheds.</p>	The 604(b) Pass-Through Fiscal Report will be e-mailed annually to EPA by December 31.	
<b>b.</b> (Sue Van Patten) (Seth Ausubel)	DEC will continue to restore and protect New York's watersheds by increasing public awareness and understanding of issues as well as through partnerships for action.	<p>Progress Through 9/30/13 Reported on 10/31/13 and</p> <p>Progress Through 3/31/14 and Reported on 4/30/14</p>	

### Component #2 of 3 Water Quality Standards

**The Water Quality Standards Program operates under Section 303 of the Clean Water Act, and requires each state to adopt water quality standards to protect public health or welfare, enhance the quality of water and serve the purposes of the Act as defined in sections 101(a)(2) and 303 ( c ).**

Components	Narrative	Indicators	FY 13 Performance Activity Measures
<p><b>a.</b>(Scott Stoner)(Wayne Jackson)</p>	<p>DEC will continue to implement a State Water Quality Standards Program.</p> <p>DEC will complete a revision of TOGS 1.1.1 “Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations.”</p> <p>Building upon previous collaboration, DEC will work with EPA to finalize specific language of the ongoing triennial review water quality standards rulemaking (amendments to 6 NYCRR Parts 700-706). DEC will prepare all related documents for the rulemaking package, and, if internal review schedules permit, propose the</p>	<p>Progress Through 9/30/13 Reported on 10/31/13 and Progress Through 3/31/14 and Reported on 4/30/14</p>	<p>WQ-3a: Number, and national percent, of States and Territories that within the preceding three year period, submitted new or revised water quality criteria acceptable to EPA that reflect new scientific information from EPA or other resources not considered in the previous standards.</p> <p>NY=s Draft commitment = 1</p> <p>WQ-4a Percent of State/Territorial water quality standards submissions (received in the 12 month period ending April 30th of the fiscal year) that are approved by EPA. Partial approvals receive fractional credit.</p> <p>NY=s Draft commitment = N/A</p>

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Components	Narrative	Indicators	FY 13 Performance Activity Measures
	<p>rulemaking for public comment.</p> <p>As part of the triennial review, DEC will work in collaboration with EPA to identify an appropriate mechanism to address waters with low D.O. due to natural conditions.</p> <p>DEC will continue development of nutrient criteria as detailed in the NYS Nutrient Standards Plan, mutually agreed upon by DEC and EPA.</p> <p>DEC will complete rulemaking documents for the proposed reclassification of the Lake Champlain and St. Lawrence River drainage basins (6 NYCRR Parts 830 and 910, respectively).</p>		

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<b>Components</b>	<b>Narrative</b>	<b>Indicators</b>	<b>FY 13 Performance Activity Measures</b>
	DEC will continue to participate in the national Water Quality Standards Manager's Association (WQSMA), as travel restrictions allow.		

<b>Component #3 of 3 – TMDLs</b>			
<b>Components</b>	<b>Narrative</b>	<b>Indicators</b>	<b>FY 13 Performance Activity Measures</b>
<b>Component #3 of 3 – TMDLs</b>  <b>a. (Ron Entringer)(Ken Kosinski)(Rosella O'Connor):</b>	<p>DEC will continue ongoing work developing TMDLs, some of which are not expected to be completed during this PPG time frame, such as Cayuga Lake, Upper Mohawk and Nine Mile Creek.</p> <p>NYSDEC will submit the acid lakes TMDL to EPA by May 1, 2013 for approval.</p> <p>NYSDEC will submit the Black Creek Phosphorus TMDL to EPA in time for EPA approval by September 30, 2013.</p> <p>NYSDEC will make draft Lake Carmel and Palmer Lake TMDLs available for public review by December 31, 2013 and submit to EPA by March 31, 2014 for EPA approval.</p>	<p>Progress Through 9/30/13 Reported on 10/31/13 and Progress Through 3/31/14 and Reported on 4/30/14</p>	<p>WQ 8b = Number of TMDLs established by States and approved by EPA. NY's commitment = 2 TMDLs for FFY 2011.</p>



<b>Component #3 of 3 – TMDLs</b>			
<b>Components</b>	<b>Narrative</b>	<b>Indicators</b>	<b>FY 13 Performance Activity Measures</b>
	NYSDEC will make Bear Lake and Engleville Pond TMDLs available for public review by March 31, 2014.		
<b>b.</b> (Ron Entringer)(Ken Kosinski) (Rosella O'Connor)	NYSDEC and EPA will agree, by September 1, 2013, on the list of waters/pollutants for which TMDLs will be established by the State and submitted to EPA for its review and approval by Sept. 30, 2014.	Progress Through 9/30/13 Reported on 10/31/13 and Progress Through 3/31/14 and Reported on 4/30/14	
<b>c.</b> (Ken Kosinski/Lorraine Holdridge) (Rosella O'Connor)	NYSDEC will complete a multiple discharge variance for PCBs (MDV) to facilitate meeting the NYSDEC goal of submitting final the Lake Ontario PCB TMDL to EPA for approval by September 30, 2013.	Progress Through 9/30/13 Reported on 10/31/13 and Progress Through 3/31/14 and Reported on 4/30/14	

## **Reporting on Progress**

DEC will provide a narrative report on progress for Component 1b. and Component 2a. by October 31, 2013 and April 30, 2014. Progress will be reported separately on Component 1a. by December 31, 2013. DEC will advise the USEPA whether or not the commitment has been met, is on schedule to be met or is not expected to be met. In the latter case, the DEC will explain the reason for not achieving the commitment and when it is likely to be met. The USEPA will review the 604(b) Status Report and advise the DEC of its concerns by November 30, 2013 and May 31, 2014. The DEC will attend any meeting requested by the USEPA which is needed to clarify and/or resolve any issues and concerns.

## **Abbreviations and Acronyms**

1. CWA - Clean Water Act
2. DEC - Department of Environmental Conservation
3. EPA - Environmental Protection Agency
4. DO - Dissolved Oxygen
5. MOA - Memorandum of Agreement
6. RPCPOs/IOs - Regional Public Comprehensive Planning Organizations or Interstate Organizations
7. TOGS - Technical and Operational Guidance Series
8. USEPA - United States Environmental Protection Agency
9. WQ - Water Quality
10. WQMP - Water Quality Management Planning
11. MDV - Multiple Discharge Variance
12. WQSMA - Water Quality Standards Manager's Association